Secrl. M-27- 45,006—18-12-30

(19) Department.

SERIES.

G.O. No. 590

DATED 20-2-1933

[Despatch Abstract.]

Subjects - V. [illegible] - Parties V. [illegible], [illegible] Bank, [illegible] - [illegible].

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16-1-33

LAW (GENERAL) **DEPARTMENT.**

85

Received ..... 19 *Registered* 19

GOVERNMENT OF MAD 16 JAN 1933 LAW DEPARTMENT

Subject.

Courts--Village Panchayat--Mangalore Taluk--Suratkal--Abolition and reconstitution.

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref. No. B--3--8214--32.

Station Camp: Uppinangady *Dated the* 12th January 1933. 19

From (Name) E.M.Gaade, Esq, I.C.S.,

(Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,

LAW (GENERAL) Department.

Madras.

Sir,

The Suratkal Panchayat Court as at present constituted has jurisdiction over four villages, Suratkal, Chellairu, Iddya and Hosabettu. Recently the Tahsildar found it impossible to hold an election of members owing to the presence of an unduly large number of voters due to factions in the villages. I therefore propose to abolish the existing Court and to reconstitute two new Courts, one for Suratkal and Chellairu, and the other for Hosabettu and Iddya villages. I enclose the prescribed notifications and request that the proposals may be approved.

2. There is no suitable hall in Suratkal or

Cheriairu. I propose therefore that the Court for that group be permitted to hold its sittings in the village Iddvadi in Iddya outside its jurisdiction. There will not be any interference with the work of the other Court as the two Courts will be held on alternate days Iddya is not inconvenient for people from Surathkal and Cheriairu. I request that this proposal may be sanctioned.

Your obedient servant,

Director.

3

Notifications.

I.

In exercise of the powers conferred by sub-section (1) of Section 9 of the Madras Village Courts Act 1888, as amended by Madras Act II of 1920, the Governor in Council directs the abolition with effect from ~~15.5.55~~ 15th May 55 of the Panchayat Court ~~substituted~~ Constituted for the undermentioned group of villages in the Mangalore Taluk of the district of South Kanara.

1. Suratkal
2. Chelairu
3. Hosbettu
4. Iddya.

II

In exercise of the powers conferred by section (1) of Section 9 of the Madras Village Courts Act, 1888, as amended by Madras Act II of 1920, the Governor in Council is pleased to direct that with effect from 15th ~~April~~ May 1955, a Panchayat Court shall be constituted for each of the undermentioned groups of villages in Mangalore Taluk of South Kanara District.

(1) Suratkal and Chelkairu

(2) Hosbettu and Iddya.

South Kanara Collector's Office,
Camp:
Uppinangady, dated 12th Janry. 1955.

Collector.

Law (General) Depart.

C.No.279-B

From the Collr., South Kanara, Ref.No.B.3-8214-32 d. 12.1.1933.

Courts- Village Panchayat-Surathkal village, Mangalore taluk, South Kanara district- Abolition and reconstitution.

A.S.

The Collector of South Kanara has submitted proposals for the reconstitution of the Panchayat court at Surathkal by abolishing the existing court and constituting two panchayat courts in its stead, one for the group of Surathkal and Chellairu villages and the other for the group of Hosabettu and Iddya villages. The reasons urged in favour of the proposal is that it has been found impossible to hold election of members owing to the presence of an unduly large number of voters due to factions in the villages. The proposal may be accepted.

2/- It is reported that there is no suitable building in Surathkal or Chellairu. The Collr therefore proposes the location of the panchayat court proposed for this group of villages at Iddya outside its jurisdiction.

Attention is invited to the last sentence in para 1 of Part III -General- of the P.C.Manual which is as follows:-

"On such a court being established in any area, the jurisdiction of the village Munsif exercising powers under the Act in that area ceases. This may be read with sec.9(1) of the Act. Rule 7 of the rules framed under the Act requires that elections of panchayatdars and President of a Court should be held in a place within the jurisdiction

of the Court. The place selected should therefore be a public one accessible to all classes of people including members of the depressed classes. When it is possible to secure one within the jurisdiction for the holding of elections, it is not understood why it cannot be utilized for holding courts also. Under para 67 of Part V of the Manual, even a shed can be used for holding the court. Attention is also invited to sec.7 of the Act which requires that the person appointed as Village Munsif should be a resident of the village for which the village court under section 6 is established. It is submitted that the Act does not seem to contemplate the holding of the panchayat court, constituted for any area under se.9(1) of the Act, outside its jurisdiction. The Collr may be informed that his proposal cannot be accepted.

This work done, ... from the reference ... it does not appear ... standing proceedings ...

3/- A draft order is submitted.

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Sectt 11-5(3)

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Law (General) DEPARTMENT.

	Date.	Initials
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Courts- Village Panchayat- Surathkal village, Mangalore taluk, South Kanara district- Abolition and reconstitution.

READ AGAIN G.O. No. ....., dated ..... 19 .

" " " " ..... " ..... 19 .

READ ALSO:—

C. No. 279-B From the Collr., S.Kanara Ref. B.3-8214-32 12. 1. 33 , No. ....., dated 19

" " ..... " " ..... " 19

" " ..... " " ..... " 19

ORDER.

No. 590, dated 20 - 2 - 1933

Ms.

The notifications appended to this order will be published in the South Kanara District Gazette.

2/- The Collr of South Kanara is requested to see that the elections to the new courts are held in time to enable them to start work from the prescribed date.

3/- With reference to paragraph 2 of his letter, the Collector is informed that his proposal to hold the panchayat court proposed for Surathkal group outside its jurisdiction cannot be accepted. His attention is invited to the last sentence in paragraph 1 of Part III-General- of the Panchayat Courts Manual. He is further informed that the panchayat court can be held in the verandah of a big house or in

P37 ; The P C Manual
His attention is invited to paragraph 67 of Part V of Panchayat Courts Manual

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~~a ched.-Vide paragraph 67 in Part V of the Manual.~~

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To the Collr., South Kanara
" Hon'ble the C.J. with C.L.
" Board of Rev. L.R.& S.
" Revenue Department
" Law (Drafting) Department with a spare copy
" Inspector of Local Boards & Municipal Councils

Appendix

N O T I F I C A T I O N S.

(H.E. the notifications at p.3 C.F. as amended)

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Lwc 6/2/33.

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